

UNITED STATES BANKRUPTCY COURT  
For The Western District of Virginia

<b>In re: Tonya S Funk</b>  <b>Debtor(s)</b>	<b>CASE NO. 11-60819</b>  <b>CHAPTER 7</b>
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**NOTICE OF NEED TO FILE PROOF OF CLAIM  
DUE TO RECOVERY OF ASSETS**

The initial notice in this case instructed creditors that it was not necessary to file a proof of claim. Since that notice was sent, it appears that assets may be recovered by the trustee.

Creditors who wish to share in any distribution of funds must file a proof of claim with the Clerk of the Bankruptcy Court at the address below on or before

**DEADLINE for creditors other than governmental units: 9/19/11**

**DEADLINE for governmental units, if applicable: 9/21/11**

Creditors who do not file a proof of claim on or before this date will not share in any distribution from the debtor(s)' estate.

The proof of claim form is printed on the reverse side of this notice. It may be filed by regular mail or by going to the court's website located at [www.vawb.uscourts.gov](http://www.vawb.uscourts.gov), there you can file and print a copy of your proof of claim. We strongly encourage you to use our website to file, but if you wish to use regular mail and receive proof of its receipt by the Bankruptcy Court, enclose a photocopy of the proof of claim together with a stamped, self-addressed envelope.

There is no fee for filing the proof of claim. Proofs of claim filed by mail are to be filed with the United States Bankruptcy Court at the address listed below and to the left and a copy must be sent to the case trustee listed below to the right:

210 Church Ave.  
Room 200  
Roanoke, VA 24011  
(540) 857-2391

Roy V Creasy(70)  
213 S Jefferson St Ste 915  
Roanoke, VA 24011-1735

**Any creditor who has filed a proof of claim already need not file another proof of claim.**

Service of a copy of this Notice shall be by mail to the debtor(s), attorney for the debtor(s), trustee, and all creditors and parties in interest.

FOR THE COURT  
JOHN W.L. CRAIG, II, CLERK  
1101 Court St.  
Room 166  
Lynchburg, VA 24504  
(434) 845-0317

Entered: 6/20/11

dis02.jsp



## B10 (Official Form 10) (04/10)

<b>UNITED STATES BANKRUPTCY COURT Western District of Virginia</b>		<b>PROOF OF CLAIM</b>
Name of Debtor: Tonya S Funk		Case Number: 11-60819
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property):		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.  <b>Court Claim Number:</b> _____ <i>(If known)</i>  Filed on: _____
Name and address where notices should be sent:		
Telephone number:		
Name and address where payment should be sent (if different from above):		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.  <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
Telephone number:		
<b>1. Amount of Claim as of Date Case Filed:</b> \$ _____  If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.  If all or part of your claim is entitled to priority, complete item 5.  <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		<b>5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.</b>  Specify the priority of the claim.  <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).  <input type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507 (a)(4).  <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).  <input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507 (a)(7).  <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).  <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)(____).  <b>Amount entitled to priority:</b>  \$ _____  <i>*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</i>
<b>2. Basis for Claim:</b> _____ (See instruction #2 on reverse side.)		
<b>3. Last four digits of any number by which creditor identifies debtor:</b> _____  <b>3a. Debtor may have scheduled account as:</b> _____ (See instruction #3a on reverse side.)		
<b>4. Secured Claim</b> (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.  <b>Nature of property or right of setoff:</b> <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other <b>Describe:</b>  <b>Value of Property:</b> \$ _____ <b>Annual Interest Rate</b> ____%  <b>Amount of arrearage and other charges as of time case filed included in secured claim,</b> <b>if any:</b> \$ _____ <b>Basis for perfection:</b> _____  <b>Amount of Secured Claim:</b> \$ _____ <b>Amount Unsecured:</b> \$ _____		
<b>6. Credits:</b> The amount of all payments on this claim has been credited for the purpose of making this proof of claim.  <b>7. Documents:</b> Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.)  DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.  If the documents are not available, please explain:		
<b>Date:</b> _____	<b>Signature:</b> The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.	
		<b>FOR COURT USE ONLY</b>

*Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.*

**B10 (Official Form 10) (04/10) - Cont.**

**INSTRUCTIONS FOR PROOF OF CLAIM FORM**

*The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.*

**Items to be completed in Proof of Claim form**

**Court, Name of Debtor, and Case Number:**

Fill in the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

**Creditor's Name and Address:**

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

**1. Amount of Claim as of Date Case Filed:**

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

**2. Basis for Claim:**

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

**3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:**

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

**3a. Debtor May Have Scheduled Account As:**

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

**4. Secured Claim:**

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

**5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a):**

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

**6. Credits:**

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

**7. Documents:**

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning.

**Date and Signature:**

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

**DEFINITIONS**

**Debtor**

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

**Creditor**

A creditor is a person, corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing. See 11 U.S.C. §101 (10).

**Claim**

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

**Proof of Claim**

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

**Secured Claim Under 11 U.S.C. §506(a)**

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

**Unsecured Claim**

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

**Claim Entitled to Priority Under 11 U.S.C. §507(a)**

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

**Redacted**

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

**Evidence of Perfection**

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

**INFORMATION**

**Acknowledgment of Filing of Claim**

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system ([www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov)) for a small fee to view your filed proof of claim.

**Offers to Purchase a Claim**

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

United States Bankruptcy Court  
Western District of Virginia

In re:  
Tonya S Funk  
Debtor

Case No. 11-60819-wea  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0423-6

User: adamsm  
Form ID: noa

Page 1 of 2  
Total Noticed: 27

Date Rcvd: Jun 20, 2011

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 22, 2011.

db  
3322616 +Tonya S Funk, 13273 Leesville Road, Lynch Station, VA 24571-2239  
3322622 +Beacon Credit Union, P.O. Box 4319, Lynchburg, VA 24502-0319  
3322619 +CIGNA Medicare Services, PO Box 644298, Pittsburgh, PA 15264-4298  
3322620 +Carilion Clinic Payment Center, PO BOX 13066, Roanoke, VA 24030-3066  
3322621 +Carilion Emergency Physicians, PO Box 2080, Kilmarnock, VA 22482-2080  
3322621 +Centra Health, PO Box 740933, Dallas, TX 75374-0933  
3322624 +Citi Bank/DFS, 12234 N IH 35 SB Bldg B, Austin, TX 78753-1705  
3322623 +Citi Bank/DFS, c/o Resuregent Capital, PO Box 10390, Greenville, SC 29603-0390  
3322629 ++FOCUSED RECOVERY SOLUTIONS, 9701 METROPOLITAN COURT, STE B, RICHMOND VA 23236-3690  
(address filed with court: Focused Recovery Solutions, for C VA Imaging/Radiology Cons LYN,  
9701 Metropolitan Court Suite B, Richmond, VA 23236)  
3322633 ++JEFFERSON CAPITAL SYTEMS LLC, PO BOX 7999, SAINT CLOUD MN 56302-7999  
(address filed with court: Jefferson Capital Systems, LLC, PO Box 23051, Columbus, GA 31902)  
3322636 +Merrick Bank, C/o Weinstein & Riley, PS 2001 Wester ave Ste 400, Seattle, WA 98121-3132  
3322640 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026  
(address filed with court: Toyota Motor Leasing, 5005 N River Blvd NE,  
Cedar Rapids, IA 52411-6634)  
3322641 +William G Sokol, Esq., for Juniper, 900 12th St. Suite A-11, Hammonton, NJ 08037-9153

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

3322617 +EDI: CAPITALONE.COM Jun 20 2011 21:08:00 Cap One, PO BOX 30281,  
Salt Lake City, UT 84130-0281  
3322618 +EDI: CAPITALONE.COM Jun 20 2011 21:08:00 Capital One, PO BOX 30281,  
Salt Lake City, UT 84130-0281  
3322625 +EDI: HFC.COM Jun 20 2011 21:08:00 Direct Merchants Bank, P.O. Box 29468,  
Phoenix, AZ 85038-9468  
3322628 +EDI: TSYS2.COM Jun 20 2011 21:08:00 FDS Bank/Macys, TSYS Debt mgmt, PO Box 137,  
Columbus, GA 31902-0137  
3322630 +EDI: RMSC.COM Jun 20 2011 21:08:00 GEMB/JC Penney, PO BOX 981402, El Paso, TX 79998-1402  
3322631 +EDI: RMSC.COM Jun 20 2011 21:08:00 GEMB/LOWES, PO BOX 981439, El Paso, TX 79998-1439  
3322632 +EDI: HFC.COM Jun 20 2011 21:08:00 HOUSEHOLD CREDIT SERVICES, PO BOX 98706,  
Las Vegas, NV 89193-8706  
3322634 +EDI: RESURGENT.COM Jun 20 2011 21:08:00 LVNV Funding LLC, Resurgent Capital Srrvices,  
PO BOX 10587, Greenville, SC 29603-0587  
3322635 +EDI: TSYS2.COM Jun 20 2011 21:08:00 Macys/DSNB, 9111 Duke Blvd, Mason, OH 45040-8999  
3322637 +E-mail/Text: bknotice@ncmlc.com Jun 20 2011 21:13:23 National Capital Management,  
8245 Tournament Drive, Suite 230, Memphis, TN 38125-1741  
3322638 +EDI: PNEN.COM Jun 20 2011 21:08:00 Penncro Associates, PO BOX 538, Oaks, PA 19456-0538  
3322639 +EDI: BLINE.COM Jun 20 2011 21:08:00 Roundup Funding, LLC, MS 550, PO Box 91121,  
Seattle, WA 98111-9221  
3322626 +EDI: ECAST.COM Jun 20 2011 21:08:00 eCAST Settlement Corp, HSBC Bank /NA Direct Merchants,  
PO Box 35480, Newark, NJ 07193-5480  
3322627 +EDI: ECAST.COM Jun 20 2011 21:08:00 eCast Settlement Corporation, Capital One Bank,  
PO Box 35480, Newark, NJ 07193-5480

TOTAL: 14

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0423-6

User: adamsm  
Form ID: noa

Page 2 of 2  
Total Noticed: 27

Date Rcvd: Jun 20, 2011

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 22, 2011

Signature:

A handwritten signature in black ink, reading "Joseph Speetjens", written over a horizontal line.